

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

ANTHONY SMITH,

Plaintiff,

v.

CENTRA HEALTH, INC. et al.,

Defendant.

Case No.: 6:20-cv-00016-NKM

**DEFENDANTS WESLEY GILLESPIE AND CHRISTOPHER JONES'S
MOTION TO DISMISS PLAINTIFF'S THIRD AMENDED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), and for the reasons set forth in the accompanying memorandum in support, Defendants Wesley Gillespie (hereinafter "Defendant Gillespie") and Christopher Jones (hereinafter "Defendant Jones") (collectively, "Defendants"), by counsel, move the Court to dismiss with prejudice the Third Amended Complaint against them by Plaintiff Anthony Smith.

WHEREFORE, Defendants Wesley Gillespie and Christopher Jones respectfully request that this Court enter an order granting their motion and dismissing with prejudice in its entirety the Third Amended Complaint against them, as well as an award of attorneys' fees incurred, pursuant to 42 U.S.C. § 1988(b), or as otherwise permitted by law, and such additional and further relief as the Court deems just and proper.

Dated: July 2, 2020

**WESLEY GILLESPIE
CHRISTOPHER JONES**
By counsel:
**WILSON ELSEER MOSKOWITZ
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/s/ Eric P. Burns

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above will be filed using the Court's CM/ECF system on July 2, 2020, which will then cause a copy to be electronically served on all counsel of record.

/s/ Eric P. Burns

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